

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

PHILLIP BARNES,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:20-cv-01514-AMM-HNJ
)	
STATE OF ALABAMA, et al.,)	
)	
Respondents.)	

MEMORANDUM OPINION

On June 25, 2021, the magistrate judge entered a report and recommendation, recommending that the petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 be denied as time-barred. Doc. 13. The magistrate judge further recommended that a certificate of appealability be denied. *Id.* at 8. Although the parties were advised of their right to file specific written objections within fourteen days, the court received no objections.


After careful consideration of the record in this case and the magistrate judge's report, the court **ADOPTS** the report of the magistrate judge and **ACCEPTS** his recommendation.¹ Accordingly, the petition for writ of habeas

¹ The undersigned notes that there appears to be a scrivener's error in the report and recommendation. Doc. 13 at 2 n.1. That footnote references a different petitioner's name and petition details. Mr. Barnes signed his federal habeas petition on July 18, 2020, Doc. 1 at 14, so it is deemed filed on that date. The petition was not received by the Middle District of Alabama until August 10, 2020.

corpus is **DENIED** and this action **DISMISSED WITH PREJUDICE**. A certificate of appealability is **DENIED**.

A Final Judgment will be entered.

DONE and **ORDERED** this 5th day of August, 2021.



ANNA M. MANASCO
UNITED STATES DISTRICT JUDGE